

No. 9(I)-82-6 Lab/ 1200.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s Sudesh Industries, Industrial Area, Panipat.

IN THE COURT OF SHRI HARI SINGH KAUSHIK, PRESIDING OFFICER, LABOUR COURT,
HARYANA, FARIDABAD

Reference No. 297 of 1981

between

SHRI SHANKER LAL, WORKMAN AND THE RESPONDENT MANAGEMENT OF
M/S SUDESH INDUSTRY, INDUSTRIAL AREA, PANIPAT

Present —

workman with Shri Karan Singh.

None for the respondent management.

AWARD

This reference No. 297 of 1981 has been referred to this court by the Hon'ble Governor of Haryana,—vide his order No. ID/KNL/110/81/56807, dated 20th November, 1981, under section 10 (i)(c) of the Industrial Disputes Act, 1947, existing between Shri Shanker Lal, workman and the respondent management of M/s Sudesh Industry, Industrial Area, Panipat. The term of the reference was:—

Whether the termination of service of Shri Shanker Lal was justified and in order ?
If not, to what relief is he entitled ?

On receiving the reference notices were issued to the parties for 15th December, 1981. On that day, the representative of the workman was present, but none was present from the side of the respondent management. The service of notice has been effected on the management and the A. D. is on the file. It was already 3.30 p. m. The case was called thrice. In these circumstances, I proceeded *ex parte* against the respondent management and the case was fixed for *ex parte* evidence of the workman for 13th January, 1982.

On 13th January, 1982, the *ex parte* evidence of the workman was recorded. The workman himself appeared as WW-1, who stated that he was working in the respondent company from 1st July, 1979, at a salary of Rs 480 per month. The work of the workman was quite satisfactory. On 19th April, 1981, the management terminated his services without assigning any reason or giving any charge-sheet and employed Shri Sat Pal at his place. He further stated that he was unemployed from the date of termination and prayed for reinstatement with full back wages and continuity of service.

On believing *ex parte* statement of the workman, I give my award that the termination of services of the workman was neither justified nor in order. The workman is entitled for his reinstatement with continuity of service and with full back wages. I order accordingly. No orders as to costs. This be read in answer to this reference.

HARI SINGH KAUSHIK,

Dated the 20th January, 1981.

Presiding Officer,
Labour Court, Haryana,
Faridabad.

Endorsement No. 263, dated 29th January, 1982.

Forwarded (four copies) to the Commissioner and Secretary to Government of Haryana, Labour and Employment Department, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

HARI SINGH KAUSHIK,

Presiding Officer,
Labour Court, Haryana,
Faridabad.